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## Senate

The Senate met at 12 and 45 seconds p.m. and was called to order by the Honorable PAT ROBERTS, a Senator from the State of Kansas.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, October 12, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PAT ROBERTS, a Senator from the State of Kansas, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. ROBERTS thereupon assumed the Chair as Acting President pro tempore.

### AUTHORIZING TESTIMONY AND REPRESENTATION OF SENATE EMPLOYEE

The ACTING PRESIDENT pro tempore. The Acting President pro tempore would now like to recognize the distinguished Senator from Texas, Mr. CORNYN.

Mr. CORNYN. Mr. President, I ask unanimous consent that it be in order to consider S. Res. 685, submitted earlier today.

There being no objection, the Senate proceeded to consider the resolution.

A resolution (S. Res. 685) to authorize testimony and representation of Senate employee in *United States v. Adam Albrett, etc.*; considered and agreed to.

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res.

685; that the resolution be agreed to; that the preamble be agreed to; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 685) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL (for himself and Mr. SCHUMER):

S. Res. 685. A resolution to authorize testimony and representation of Senate employee in *United States v. Adam Albrett, etc.*; considered and agreed to.

### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 685—TO AUTHORIZE TESTIMONY AND REPRESENTATION OF SENATE EMPLOYEE IN *UNITED STATES V. ADAM ALBRETT, ETC.*

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 685

Whereas, in the case of *United States v. Adam Albrett, etc.*, Cr. No. 18-312, pending in the United States District Court for the Eastern District of Virginia, the government has requested testimony from Sam Frazier, an employee in the office of Senator Dianne Feinstein;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of

1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Members, officers, and employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Sam Frazier, an employee in the Office of Senator Dianne Feinstein, is authorized to testify in the case of *United States v. Adam Albrett, etc.*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Mr. Frazier in connection with the testimony authorized in section one of this resolution.

Mr. MCCONNELL. Mr. President, this resolution concerns a request for testimony in a criminal action pending in federal district court. In this action, the defendant is charged with eleven counts for sending threatening communications in interstate commerce, including sending threatening faxes to Senator FEINSTEIN. Trial is set for later this month in the Eastern District of Virginia.

The government is sending trial testimony from the employee in Senator FEINSTEIN's office who received and handled the incoming faxes. Senator FEINSTEIN would like to cooperate with this request.

This resolution would accordingly authorize the staffer to testify as trial and to be represented by the Senate Legal Counsel.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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